

REMARKS

This Amendment is fully responsive to the final Office Action dated June 11, 2010, issued in connection with the above-identified application. Claims 1, 3 and 5-18 are pending in the present application. With this Amendment, claims 1, 7, 15 and 17 have been amended. No new matter has been introduced by the amendments made to the claims. Favorable reconsideration is respectfully requested.

In the Office Action, claims 1, 3, 5-15, 17 and 18 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Anthony et al. (U.S. Publication No. 2005/0091596, hereafter “Anthony”) in view of Gemmell et al. (U.S. Patent No. 7,334,195, hereafter “Gemmell”).

The Applicants have amended independent claims 1 and 17 to more clearly distinguish the present invention from the cited prior art. Independent claim 1 recites *inter alia* the following features:

“[a]n image file list display device that displays on a screen a list of a plurality of image files classified by a series of different types, the image file list display device comprising:...

a classification type display unit operable to display a type to which an image file belongs, the image file corresponding to a scaled-down image displayed by said scaled-down image display unit,

wherein

said classification type display unit is operable to display a type corresponding to pages in an area having a size corresponding to a number of the pages in the case where scaled-down images corresponding to image files belonging to a same type are positioned on a plurality of pages,

the image file list display device further comprises a display area calculating unit operable to obtain the number of the pages and calculate the size in proportion to the obtained number of the pages, and

said classification type display unit is operable to display the type corresponding to the pages in the area of the size calculated by said display area calculating unit.” (Emphasis added).

The features emphasized above in independent claim 1 are similarly recited in independent claim 17 (as amended). Specifically, claim 17 is a method that includes steps directed to the features emphasized above in independent claim 1. Additionally, the features

emphasized above in independent claim 1 (and similarly recited in independent claim 17) are fully supported by Applicants' disclosure (see e.g., ¶[0061]).

The present invention (as recited in independent claims 1 and 17) is believed to be distinguishable from the cited prior art in that the image file list display device includes a display area calculating unit that obtains a number of the pages and calculates a size in proportion to the obtained number of the pages, wherein the classification type display unit displays the type corresponding to the pages in the area of the size calculated by the display area calculating unit.

In other words, with the present application (as recited in independent claim 1 and 17) it is not until the amount of the main display object is determined that the size of a sub display area in which to display the type of the display object is determined.

For example, in an embodiment of the present invention, a page count calculating unit 17 calculates a number of the classification type pages which is a number of the thumbnail display pages 2 corresponding to each classification type. A display area calculating unit 18 decides a location and size of the classification type display area 5. Also, the display area calculating unit 18 decides an individual classification type area based on the number of classification type pages calculated by the page count calculating unit 17. In addition, the size of the individual classification type area is decided in proportion to the number of classification type pages calculated by the page count calculating unit 17 (see e.g., ¶[0061]).

In the Office Action, the Examiner relies on the combination of Anthony and Gemmell for disclosing or suggesting all the features of independent claims 1 and 17. However, the Examiner relies specifically on Gemmell for disclosing or suggesting the features of the classification type display unit and step recited respectively in independent claims 1 and 17.

However, as noted above, independent claim 1 has been amended to recite the following:

“the image file list display device further comprises a display area calculating unit operable to obtain the number of the pages and calculate the size in proportion to the obtained number of the pages, and

said classification type display unit is operable to display the type corresponding to the pages in the area of the size calculated by said display area calculating unit.”

Additionally, independent claim 17 has been amended to recite the following:

“the image file list display method further comprises a display area calculating step of obtaining the number of the pages and calculating the size in proportion to the obtained number

of the pages, and

said classification type display step displays the type corresponding to the pages in the area of the size calculated by said display area calculating step.”

In the Office Action, the Examiner relies on col. 13, line 49-col. 14, line 39 of Gemmell. Gemmell in col. 13, line 49-col. 14, line 39 discloses a cluster format window that allows a user to scroll through search results with an added guide pane 508. The guide pane 508 is displayed in the graphic data presentation sector 502 over a portion thereof which corresponds to at least some of search result items 504 displayed in a list sector 506, as shown in the example cluster window 500 of Fig. 5.

Also, in Gemmell, a complementary highlighting pane 510 is displayed in the list sector 506 over the search result items 504 corresponding to the portion of the clusters 512 covered by the guide pane 508. The guide pane 508 and highlighting pane 510 have a similar appearance in that each highlights the underlying objects displayed in their respective sectors in a manner that indicates to the user that they are related.

Finally, as described in Gemmell, the size of the guide pane 508 dictates how much of the search result items 504 are highlighted in the list sector 506. For example, the guide pane 508 can be sized so that the search result items 504 corresponding to the portion of the clusters 512 covered by the guide pane 508 completely fill the allotted display space of the list sector 506. Alternately, the guide pane 508 can be smaller, such that only part of the search result items 504 displayed in the list sector 506 corresponds to the portion of the clusters 512 covered by the guide pane.

Thus, as noted above, the most relevant portions of Gemmell in col. 13, line 49-col. 14, line 39 clearly discloses that “the size of the guide pane 508 dictates how much of the displayed search result items 504 are highlighted in the list sector 506.” Stated another way, in Gemmell, the amount of the main display object is changed according to the size of the sub display area.

Conversely, with the present application (as recited in independent claim 1 and 17), it is not until the size of the main display object is determined that the size of a sub display area (i.e., in which to display the type of the display object) is determined. Accordingly, Gemmell appears to actually teach away from the present invention (as recited in independent claims 1 and 17) with regard to the above feature.

For at least the reasons noted above, Gemmell fails to disclose or suggest all the features

recited in independent claims 1 and 17 (as amended). Moreover, Anthony is not relied on for disclosing or suggesting the features noted above in independent claims 1 and 17 (as amended).

Accordingly, no combination of Anthony and Gemmell would result in, or otherwise render obvious, the features recited in independent claims 1 and 17 (as amended). Likewise, no combination of Anthony and Gemmell would result in, or otherwise render obvious, claims 3, 5-15 and 18 at least by virtue of their respective dependencies from independent claims 1 and 17.

In the Office Action, claim 16 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Anthony in view of Gemmell, and further in view of Moore et al. (U.S. Patent No. 7,409,644, hereafter “Moore”).

Claim 16 depends from claim 1. As noted above, Anthony in view of Gemmell fails to disclose or suggest all the features recited in independent claim 1 (as amended). Moreover, Moore fails to overcome the deficiencies noted above in Anthony and Gemmell. Accordingly, no combination of Anthony, Gemmell and Moore would result in, or otherwise render obvious, claim 16 at least by virtue of its dependency from independent claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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